

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**HY-KO PRODUCTS COMPANY LLC**

§

v.

§

**THE HILLMAN GROUP INC.**

§

**CIVIL ACTION NOS. 2:21-CV-00197-JRG**

**MINUTES FOR JURY SELECTION/JURY TRIAL DAY NO. 1  
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP  
October 3, 2022**

**OPEN: 09:23 AM**

**ADJOURN: 06:23 PM**

ATTORNEYS FOR PLAINTIFF: See attached

ATTORNEYS FOR DEFENDANT: See attached

LAW CLERKS: Harris Huguenard  
Patrick Clark  
Katie Albanese

COURT REPORTER: Shawn McRoberts, RMR, CRR

COURTROOM DEPUTY: Andrea Brunson, CP

<b>TIME</b>	<b>MINUTE ENTRY</b>
09:23 AM	Court opened. Court's greeting, introduction and preliminary remarks to Jury Pool.
09:35 AM	Court asked for announcements from the parties.
09:37 AM	Court continued by providing case information and gave preliminary instructions to Jury Pool.
09:48 AM	Prospective Jurors began introduction of themselves.
10:14 AM	Court provided additional instructions to Jury Pool.
10:18 AM	<i>Voir dire</i> on behalf of Plaintiff by Ms. DeRieux.
10:45 AM	Court paused proceedings for restroom break for three jurors.
10:49 AM	Court continued with <i>voir dire</i> proceedings.
10:49 AM	Continuation of <i>voir dire</i> examination by Ms. DeRieux.
10:54 AM	<i>Voir dire</i> on behalf of Defendant by Ms. Truelove.
11:22 AM	Bench conference with counsel.
11:24 AM	Bench conference completed.
11:24 AM	Court instructions provided to Jury Pool. Court requested specific juror(s) to remain in courtroom while remainder of jurors recessed.
11:27 AM	Remainder of jurors recessed.
11:28 AM	Counsel approached bench.

TIME	MINUTE ENTRY
11:28 AM	Strike conference began with specifically named juror(s).
11:43 AM	Strike conference concluded. Attorneys excused to exercise strikes.
11:43 AM	Recess.
12:08 PM	Court reconvened.
12:08 PM	Instructions given by the Court. Jurors selected.
12:11 PM	Jurors sworn. Additional instructions given by the Court. Remainder of Jury Pool excused.
12:15 PM	Additional instructions given by the Court.
12:36 PM	Jury recessed for lunch.
12:37 PM	Court addressed the filing of Dkt. No. 283 and Order denying same.
12:39 PM	Mr. Baxter presented show cause explanation on behalf of Defendant.
12:55 PM	Mr. Meckes provided a response on behalf of Plaintiff.
12:58 PM	Court made sanction rulings as set forth in the record.
01:00 PM	Recess.
01:27 PM	Court reconvened.
01:28 PM	Jury returned to courtroom.
01:29 PM	Court gave preliminary instructions to Jury.
02:08 PM	Notebooks provided to Jury.
02:09 PM	Continuation of Court's preliminary instructions to Jury.
02:13 PM	Plaintiff's opening statement by Mr. Meckes.
02:37 PM	Defendant's opening statement by Mr. Baxter.
03:06 PM	Opening statements concluded.
03:06 PM	Bench conference.
03:08 PM	Bench conference concluded.
03:08 PM	Rule invoked, excluding expert witnesses.
03:09 PM	Hy-Ko's case-in-chief.
03:09 PM	Witness sworn. Direct examination of Mr. William Mutch by Mr. Elkins.
03:40 PM	Jury recessed for break.
03:41 PM	Recess.
04:21 PM	Court reconvened.
04:22 PM	Jury returned to courtroom.
04:22 PM	Continuation direct examination of Mr. William Mutch by Mr. Elkins.
04:43 PM	Bench conference.
04:44 PM	Bench conference concluded.
04:44 PM	Continuation direct examination of Mr. William Mutch by Mr. Elkins.
04:49 PM	Bench conference.
04:56 PM	Bench conference concluded.
04:56 PM	Continuation direct examination of Mr. William Mutch by Mr. Elkins.
05:26 PM	Bench conference.
05:27 PM	Bench conference concluded.
05:27 PM	Cross examination of Mr. William Mutch by Mr. Lelutiu.
05:42 PM	Bench conference.
05:42 PM	Bench conference concluded.
05:42 PM	Continuation cross examination of Mr. William Mutch by Mr. Lelutiu.
06:12 PM	Redirect examination of Mr. William Mutch by Mr. Elkins.

<b>TIME</b>	<b>MINUTE ENTRY</b>
06:16 PM	Completion of testimony of Mr. William Mutch.
06:18 PM	Jury recessed for the day until 8:30 AM tomorrow.
06:20 PM	Court reminded the parties to utilize their meet and confer efforts re: overnight disputes.
06:23 PM	Court adjourned.